

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant(s)     | ) | Kenneth M. MAXHAM   |
| Application No.  | ) | 10/037,085  |
| Filing Date      | ) | December 20, 2001   |
| Title            | ) | SYSTEM AND METHOD FOR SELECTING THE PLACEMENT OF OPTICAL AMPLIFIERS IN AN OPTICAL NETWORK |
| Examiner         | ) | Christina Y. Leung  |
| Art Unit         | ) | 2613  |
| Confirmation No. | ) | 5909  |

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AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

In response to the final Office Action mailed July 11, 2007, allowing Claims 1-14 and 28 and rejecting Claims 15-27 and 29-35 of the above-referenced Application, in which Claims 1-35 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance, without further search, and respectfully requests such action.

**AMENDMENT - AFTER FINAL REJECTION** is on page 1

**CLAIMS** are on pages 2-14

**APPLICANT ARGUMENTS/REMARKS MADE IN AN AMENDMENT** are on pages 15-18